

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SAMANTHA JONES ELABANJO,)
)
 Plaintiff,)
)
 v.) 1:11CV349
)
 OFFICER JASON BELLEVANCE,)
 OFFICER BRANDON PERRY,)
 OFFICER TELFAIR, OFFICER WAGNER,)
 TOWN OF CHAPEL HILL, and CHAPEL)
 HILL POLICE DEPARTMENT,)
)
 Defendants.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on January 21, 2014, was served on the parties in this action. Plaintiff filed timely Objections (Docs. 84 through 87) to the Recommendation, and Defendants filed a Response (Doc. 90).

The court has reviewed those portions of the United States Magistrate Judge's Recommendation to which Plaintiff objected and has made a *de novo* determination. The court finds that the objections do not change the substance of the Recommendation (Doc. 82), which is affirmed and adopted.¹

¹ After the Magistrate Judge issued the Recommendation, Plaintiff submitted another affidavit (Doc. 88). Although the court has the authority to consider the submission of additional evidence during the objections under § 636, the court declines to consider this second affidavit. See Caldwell v. Jackson, 831 F. Supp. 2d 911, 914 (M.D.N.C.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendant's Motion for Summary Judgment (Doc. 73) is GRANTED and this action is DISMISSED WITH PREJUDICE.

/s/ Thomas D. Schroeder
United States District Judge

February 26, 2014

2005) ("While the court may receive further evidence, attempts to introduce new evidence after the magistrate judge has acted are disfavored."). Even if it were to do so, however, the court notes that the affidavit would not change the outcome.